

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23024 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- MUNGER MUFFASIL District- Munger

1. MD. JAMIL S/O LATE MD. DOMAN MIYA Resident of village- Minnat Nagar, P.S.- Kotwali, District- Munger.
2. MD. BHOLU S/O MD. JAMIL Resident of village- Minnat Nagar, P.S.- Kotwali, District- Munger.
3. MD. SIKANDER S/O MD. ALAAUDDIN Resident of village- Minnat Nagar, P.S.- Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kumar Kamal Nayan
For the State	:	Mr.Md. Ataur Rahman
For the Informant	:	Mr. Jyoti Ranjan Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, it is alleged by the informant that on 01.11.2022, while he along with his father was returning home and when they reached near Gumti No.5 all the named accused persons including the petitioners intercepted and abused them and upon protest co-accused Md. Khursid fired on the



father of the informant due to which, his father sustained gun shot injury near right side of ear.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. They have falsely been implicated in the present case due to dirty village politics. There is no specific allegation of shot fire levelled against the petitioners rather the specific allegation of shot fire is against co-accused Md. Khushid. Other co-accused namely Md. Munna @ Chhotal has already been granted bail by this Bench vide order dated 29.04.2023 passed in Cr. Misc. No. 16984 of 2023 hence, the case of these petitioners stands on better footing of that of the co-accused. The petitioners are languishing in judicial custody since 27.01.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to



be enlarged on bail in connection with Muffasil P.S. Case No.399 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Munger.

(Sunil Kumar Panwar, J)

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